

b.) Remarks

Claim 72 is amended to correct its dependency. Additionally, new claims 103-123 are added in order to more specifically recite preferred embodiments of the present invention.

For the Examiner's convenience, new claims 106-123 respectively mirror present claims 42, 43, 46, 53, 63, 72, 73, 80, 81, 84, 91 and 99-105. The subject matter of the amendment may be found in the specification as filed, *inter alia*, at Tables 2 and 3 at pages 50 and 66, respectively, as well as at page 24, lines 7-10 and page 66, lines 1-4. Accordingly, no new matter is added.

Claims 42, 43, 46, 53, 63, 72, 73, 80, 81, 84, 91 and 99-102 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. This is the sole remaining rejection herein.

The Examiner states the specification discloses tableting at 0.7 ton/cm^2 and at 1.3 ton/cm^2 . However, the Examiner disputes the specification discloses tableting within these two end points.

In support of the rejection

the examiner notes that Tables 3 and 4 as pointed out by the applicant, still do not provide support for values between 0.7 ton/cm^2 and 1.3 ton/cm^2 . Nothing in the teachings at page 6, as pointed out by the applicant adequately provides support for any values between 0.7 ton/cm^2 and 1.3 ton/cm^2 . (Emphasis added.)

Respectfully submitted, this is incorrect.

Experiments 3 and 4 (specification pages 62-63) press tablets at 500, 1000 and 1500 kg/punch (page 62, lines 15-17 and page 63, lines 12-14). The punch is as used in invention 1 (page 63, lines 15-16), e.g., having a 7 mm diameter punch and die set (page 46, line 25 to page 46, line 1).

As is well-understood then, 500kg/punch is 1.299 ton/cm², as follows.

$$500\text{kg/punch}=0.5\text{ton}\div \{ \pi \times (7\text{mm}/2) \times (7\text{mm}/2) \} = 1.299\text{ton/cm}^2$$

Therefore, the Examiner's comment that there are no values between 0.7 ton/cm² and 1.3 ton/cm² is incorrect.

In view of the above amendments and remarks, Applicants submit that all of the Examiner's concerns are now overcome and the claims are now in allowable condition. Accordingly, reconsideration and allowance of this application is earnestly solicited.

Claims 42, 43, 46, 53, 63, 72, 73, 80, 81, 84, 91 and 99-123 remain presented for continued prosecution.

Entry hereof is earnestly solicited.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Lawrence S. Perry/
Lawrence S. Perry
Attorney for Applicants
Registration No. 31,865

FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, New York 10104-3800
Facsimile: (212) 218-2200

LSP\ac